

**REISSUE DECLARATION BY THE ASSIGNEE, POWER OF
ATTORNEY, AND SURRENDER OF PATENT**

I hereby declare that:

My residence, post office address and citizenship
are as stated below next to my name.

I am authorized to act on behalf of the following
assignee: Eli Lilly and Company, and the title of my position
with said assignee is Deputy General Patent Counsel.

The entire title to the patent identified below is
vested in said assignee.

I believe Neil R. Anderson, Roger G. Harrison,
Daniel F. Lynch, and Peter L. Oren are the original, first and
joint inventors of the subject matter which is claimed and for
which United States Patent No. 5,910,319 was granted on June
8, 1999 for the invention entitled

**FLUOXETINE ENTERIC PELLETS AND METHODS FOR THEIR PREPARATION
AND USE**

the specification of which:

☒ [X] is attached hereto

☐ [] was filed on _____
as United States Application Serial No. _____

or

PCT International Application No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand
the contents of the above-identified specification, including
the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that
is material to patentability as defined in 37 C.F.R. 1.56.

I believe the original patent to be wholly or partly
inoperative or invalid, by reason of the patentee claiming
more than he had a right to claim in the patent.

At least one error upon which reissue is based is
described as follows:

The dosage range in Claims 19, 31 and 38 is too
broad.

10058891-012802

I state that the above-identified errors arose without any deceptive intention on the part of the applicants.

I surrender the above-identified letters patent which accompanies this paper and request that the letters patent be reissued to the said Eli Lilly and Company for the same invention upon the foregoing specification.

Power of Attorney: I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

<u>Attorney</u>	<u>Reg. No.</u>	<u>Attorney</u>	<u>Reg.No.</u>
Arvie J. Anderson	45,263	Gerald P. Keleher	43,707
Lynn D. Apelgren	45,341	James J. Kelley	41,888
Robert A. Armitage	27,417	Paul J. Koivunieni	31,533
Brian P. Barrett	39,597	Thomas LeGrandeur	P51,026
Michael T. Bates	34,121	Kirby Lee	47,744
Roger S. Benjamin	27,025	Robert E. Lee	27,919
Gary M. Birch	48,881	James P. Leeds	35,241
William R. Boudreaux	35,796	Nelsen L. Lentz	38,537
Steven P. Caltrider	36,467	Douglas K. Norman	33,267
Paul R. Cantrell	36,470	Arleen Palmberg	40,422
John Cleveland	P50,697	Thomas G. Plant	35,784
Charles E.Cohen	34,565	Edward Prein	37,212
Donald L. Corneglio	30,741	Grant E. Reed	41,264
Gregory A. Cox	47,504	James J. Sales	33,773
Paula K. Davis	47,517	Michael J. Sayles	32,295
Elizabeth A. Dawalt	44,646	Robert L. Sharp	45,609
John C. Demeter	30,167	David M. Stemerick	40,187
Manisha A. Desai	43,585	Mark J. Stewart	43,936
Joanne Longo Feeney	35,134	Robert D. Titus	40,206
Paul J. Gaylo	36,808	Robert C. Tucker	45,165
Francis O. Ginah	44,712	Tina M. Tucker	47,145
Janet A. Gongola	48,436	MaCharri Vorndran-Jones	36,711
Amy E. Hamilton	33,894	Gilbert T. Voy	43,972
James A. Hoffmann	P50,221	Thomas D. Webster	39,872
Frederick D. Hunter	26,915	Lawrence T. Welch	29,487
Thomas E. Jackson	33,064	Alexander Wilson	45,782
Soonhee Jang	44,802	Dan L. Wood	48,613
Charles Joyner	30,466		

said Robert A. Armitage and Douglas K. Norman to have in addition the power to revoke the power granted to all others listed above.

Send Correspondence To:
ELI LILLY AND COMPANY
Patent Division/RDT
Lilly Corporate Center
Indianapolis, Indiana 46285

Direct Telephone Calls To:
Robert D. Titus
317-277-3729

10053891-012802

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name: Douglas K. Norman

Signature: Douglas K. Norman Date: January 25, 2002

Assignee Address : Lilly Corporate Center
Indianapolis, Indiana 46285

Full Name First Joint
Inventor : Neil R. Anderson
Residence Address : 906 Northwestern Avenue
West Lafayette, Indiana 47906
Post Office Address : SAME AS ABOVE
Citizenship : United States

Full Name of Second
Joint Inventor : Roger G. Harrison
Residence Address : 80 Spring Drive
Zionsville, Indiana 46077
Post Office Address : SAME AS ABOVE
Citizenship : Great Britain

Full Name of Third
Joint Inventor : Daniel F. Lynch
Residence Address : 9715 Trilobi Drive
Indianapolis, Indiana 46236
Post Office Address : SAME AS ABOVE
Citizenship : United States

Full Name of Fourth
Joint Inventor : Peter L. Oren
Residence Address : 6358 Manchester Drive
Fishers, Indiana 46038
Post Office Address : SAME AS ABOVE
Citizenship : United States

10058891-012802

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

ELI LILLY AND COMPANY

By _____

Date _____

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Neil R. Anderson
Roger G. Harrison
Daniel F. Lynch
Peter L. Oren

For : FLUOXETINE ENTERIC PELLETS AND METHODS FOR THEIR
PREPARATION AND USE

Docket No. : X-10709B

ASSENT BY ASSIGNEE FOR REISSUE APPLICATION

Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

Eli Lilly and Company, a corporation of Indiana, as assignee of the entire right, title and interest in and to United States Letters Patent No. 5,910,319 by virtue of an assignment recorded in the United States Patent and Trademark Office under date of February 16, 1999, on Reel 9762, at Frame 0822, hereby assents to the accompanying application for reissue.

Respectfully submitted,

ELI LILLY AND COMPANY

By Douglas K. Norman
Douglas K. Norman

Deputy General Patent Counsel

Date January 25, 2002

"Express Mail" mailing label number

EL342553768US

Date of Deposit

1-28-02

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.101, as indicated above and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

QUEEN THOMAS
(Typed or printed name of person mailing paper)

Queen Thomas
(Signature of person mailing paper or fee)

10053291-012802